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**MAR 02 2006****FROM:** Brenda J. Wallach - Reg No. 45,193**DATE:** March 2, 2006

Number of pages with cover page: 11	Originals or hard copy will <u>not</u> follow.
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**Comments:**

**ATTORNEY DOCKET:** 300622005500  
**GROUP ART UNIT:** 1631  
**EXAMINER:** S. Zhou  
**SERIAL NO.:** 09/867,845  
**FILING DATE:** May 29, 2001  
**INVENTOR(S):** Chaitan KHOSLA et al.  
**TITLE:** DESIGN OF POLYKETIDE SYNTHASE GENES

**Papers attached:**

1. Transmittal (1 page)
2. Amendment (9 pages)

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SD-304480

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PTO/SB/21 (09-04)

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	09/867,845
		Filing Date	May 29, 2001
		First Named Inventor	Chaitan KHOSLA
		Art Unit	1631
		Examiner Name	S. Zhou
Total Number of Pages in This Submission	10	Attorney Docket Number	300822005500

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (9 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1 page fax cover sheet
Remarks <b>CUSTOMER NO. 25225</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature	<i>Brenda J. Wallach</i>		
Printed name	Brenda J. Wallach		
Date	March 2, 2006	Reg. No.	45,193

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Dated: March 2, 2006

Signature: *Germaine Sarda* (Germaine Sarda)

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(Germaine Sarda)

Docket No.: 300622005500  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Chaitan KHOSLA et al.

Application No.: 09/867,845

Confirmation No.: 7453

Filed: May 29, 2001

Art Unit: 1631

For: DESIGN OF POLYKETIDE SYNTHASE  
GENES

Examiner: S. Zhou

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the Notice of Non-Compliant Amendment under 37 C.F.R. § 1.121, mailed by the Patent and Trademark Office (PTO) on January 31, 2006. This response supplements Applicants' response of November 18, 2005, in response to the non-final Office Action mailed from the PTO on July 29, 2005, in connection with the above-identified application. A response to the Notice is initially due on March 2, 2006. Accordingly, this response is timely filed.

Because the claim set submitted in Applicants' response of November 18, 2005, was non-compliant (because the claim identifier of claim 15 was incorrect), please replace the claim listing submitted in Applicants' response of November 18, 2005, with the claim listing set forth herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.